



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------------|------------------|
| 09/769,382 | 01/26/2001 | Toshiyuki Takao | FF-0126US | 5768 |
| 21254 7590 01/24/2007 MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817 | | | EXAMINER PHAM, THIERRY L | |
| | | | ART UNIT 2625 | PAPER NUMBER |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 01/24/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/769,382

Applicant(s)

TAKAO ET AL.

Examiner

Thierry L. Pham

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

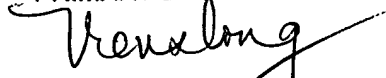
- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

- This action is responsive to the following communication: RCE filed on 12/19/06.
- Claims 5-38 are pending, wherein claims 1-4 have been canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/19/06 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freedman (US 4839829) and Mandler et al (US 5732400), and further in view of Mori et al (US 6089765).

Regarding claim 36, Freedman discloses a production system (printing production system, fig. 1a) for producing printing pictures ordered by a customer (user 12, fig. 1a), wherein the printing pictures comprises an output image for outputting image data (col. 4, lines 35-42) received from the customer to another medium, the printing pictures production system comprising:

- a first terminal (terminal 12, fig. 1a) comprising:

Art Unit: 2625

- an image data input unit (keyboard of terminal 12, fig. 1a) unit for inputting the image data (col. 4, lines 42-65);
- an order information input unit (keyboard of terminal 12, fig. 1a) for inputting order information (work order, col. 4, lines 35-42) to designate order contents of the printing pictures; and
- an identification information input unit (keyboard of terminal 124, fig. 1a) for inputting identification information (identification number, col. 8, lines 1-10) to identify said order contents;
- an image data storing unit (storage of terminal 12, fig. 1a, col. 4, lines 53-57) for storing the image data by associating with said identification information;
- an order information storing unit (storage of terminal 12, fig. 1a, col. 4, lines 53-57) for storing order information by associating with said identification information;
- a second terminal (terminal 36, fig. 1a, col. 4, lines 66+) for inputting said identification information as information to be used for authenticating (authenticating the print job by print manager via using print facility computer terminal, col. 11, lines 10-67) said order information;
- a production unit (printer 36, fig. 1a) for producing the printing pictures (work order, col. 4, lines 35-42) designated in said order information after receiving authenticated order information and the image data.
- a production management apparatus (programmed computer 20, fig. 1a), wherein the production management apparatus manages (col. 8, lines 1-35) a printing of pictures ordered by a customer by referring to the order information storing unit and the image data storing unit,
- wherein the first terminal (fig. 1a) is connected to the production management apparatus via a network (network, fig. 1a, col. 15-20),
- wherein the second terminal (fig. 1a) is connected to both the first terminal and the production management apparatus via the network (network, fig. 1a, col. 15-20), and
- wherein said second terminal has an access right to authenticate (programmed computer authenticates print order request by terminal client 12, cols. 11-12) said order

Art Unit: 2625

information for at least one of said image data storing unit and said order information storing unit.

However, Freedman do not expressly teach wherein said order information storing unit has order expiry date information defining a term to store said order information, and said order information is authenticated by extending the term determined by said order expiry date information when said identification information is input, wherein said order information stored in the order information storing unit is deleted when the term expires.

Mori, in the same field of endeavor for printing system for producing print product, teaches order information storing unit has order expiry date information defining a term to store said order information (computer 20 also serves as a print server for storing print order expiry date, fig. 1, col. 2, lines 56-67, col. 3, lines 60-67 to col. 4, lines 1-15 and col. 11, lines 18-31), and said order information is authenticated by extending (cols. 13-14) the term determined by said order expiry date information when said identification information is input, wherein said order information stored in the order information storing unit is deleted when the term expires (deleting job data that has been expired, col. 14, lines 10-13 and 50-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Freedman and Mandler as per teachings of Mori because of a following reason: (●) deleting reserved print order to allocate memory space (i.e. free up memory space for newer print job order, see col. 15, lines 5-7 of Mori) if the expiration date of print order is not extended or the term has been expired.

However, combinations of Freedman and Mori fail to teach and/or suggest a risk ratio calculating for calculating a credibility relating to a purchase of the printing pictures made by the customer from information relating to the customer associated with customer identification information, calculating a risk ratio based on said credibility, and outputting said alert information when said risk ratio is above a predetermined value.

Mandler, in the same field of endeavor for purchasing goods and services via using broker, teaches a risk ratio calculating unit (financial clearinghouse 40, fig. 1a, col. 3, lines 30-50 and col. 6, lines 44-67) for calculating a credibility (credibility of user, col.

Art Unit: 2625

6, lines 44-67) relating to a purchase of the printing pictures made by the customer from information relating to the customer associated with customer identification information (based on user's information, col. 6, lines 44-67), calculating a risk ratio based on said credibility, and outputting said alert information (fig. 3a) when said risk ratio is above a predetermined value (col. 3, lines 49-52 and fig. 3b).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify printing system of Freedman/Mori to include a risk ratio calculating unit as taught by Mandler because of a following reason: (●) benefits sellers by reducing the credit risk associated with small buyers (col. 4, lines 54-62), in other words, preventing selling goods and/or services to customer with bad/poor credibility; (●) benefits buyers by eliminating frustrating/costly delays associated with purchasing goods/services from new or occasional sellers, and reducing buyer's administrative expenses (col. 4, lines 63+).

Therefore, it would have been obvious to combine Freedman and Mori with Mandler to obtain the invention as specified in claim 36.

Regarding claim 2, Freedman further discloses the production system wherein said second terminal comprises an access right (col. 7, lines 40-65) to authenticates said order information for at least one image data storing unit and said order information storing unit.

Regarding claim 5, Mandler further teaches the production system, wherein said risk ratio calculating unit calculates said risk ratio at the time of producing (col. 3, lines 30-60) the printing pictures, wherein said production unit starts producing the printing pictures in a condition that said alert is lifted (fig. 3a, col. 3, lines 30-65 and col. 7, lines 1-36).

Regarding claim 6, Freedman further teaches the production system, further comprising a customer information storing unit (hard disc 32, memory 30, floppy disc 34,

Art Unit: 2625

fig. 1a) for storing information relating to the customer, wherein said first terminal comprises a customer identification information (i.e. customer name and address, col. 8, lines 1-10) input unit for inputting said customer identification information to identify said information relating to the customer.

Regarding claim 7, Mandler further teaches the production system, wherein said information relating to the customer history information relating to a purchase history (col. 4, lines 65-66) of the printing pictures of the customer, and wherein said risk ratio calculating unit calculates said credibility based on said purchase history of the customer (col. 4, lines 65-66).

Regarding claim 8, combinations of Freedman and Mandler further teach the production system, further comprising a rate calculating unit for producing a purchase price (col. 1, lines 65-67 and col. 11, lines 65-67 of Freedman) of the printing pictures based on said order information, wherein said risk ratio calculating unit calculates said risk ratio based on said purchase price (col. 3, lines 50-57).

Regarding claim 9, Freedman further discloses the product production system, wherein said first terminal is placed at a remote place (fig. 1a) that is at a distant location from said order information storing unit and is connected to said order information storing unit through a communication network.

Regarding claim 10, Freedman further discloses the product production system, wherein said first terminal is connected to said order information storing unit through the Internet (Internet is well known, see Mandler, col. 5, lines 60-62).

Regarding claim 11, Freedman further discloses the product production system, wherein said second terminal displays (terminal 38, fig. 1a) the contents of said order information.

Art Unit: 2625

Regarding claim 12, Freedman further discloses the product production system, wherein said image data storing unit sends the image data and has a means for instructing said first terminal to display (terminal 38, fig. 1a) said sent image data.

Regarding claim 13, Freedman further discloses the product production system, wherein: said identification information is given to the customer in exchange for receiving the image data; and said image data storing unit instructs said first terminal to display the image data by an input of said identification information (JOB ID, col. 8, lines 1-10) from said first terminal.

Regarding claims 14-15, Freedman further discloses the product production system, wherein said identification information input unit issues said order information (JOB ID, col. 8, lines 1-10) when the image data is input by said image data input unit.

Regarding claim 16, Freedman further discloses the product production system, wherein: said order information input unit has a means for inputting a priority condition (col. 8, lines 55-67) relating to a production of the product as said order information; and said production unit defines a priority order for producing the product during production of a plurality of the products based on said priority condition (col. 8, lines 55-67) included in said order information and produces the product based on said priority order.

Regarding claim 17, it recite limitations that are similar and in the same scope of invention as to those in claim 36 above; therefore, claim 36 is rejected for the same rejection rationale/basis as described in claim 36.

Regarding claim 18, Mandler further teaches the production management apparatus as claimed in claim 17, wherein said risk ratio calculating unit calculates said risk ratio (col. 3, lines 30-60) at a time of the production of the product, wherein the

Art Unit: 2625.

production of the product is started in a condition that said alert information is lifted (fig. 3a, col. 3, lines 30-65 and col. 7, lines 1-36).

Regarding claim 19: Claim 19 is the methods corresponding the apparatus and recite limitations that are similar and in the same scope of invention as to those in claim 36; therefore, claim 19 is rejected for the same rejection rationale/basis as described in claim 36 above.

Regarding claim 20: Claim 20 is the methods corresponding the apparatus and recite limitations that are similar and in the same scope of invention as to those in claim 36; therefore, claim 20 is rejected for the same rejection rationale/basis as described in claim 36 above.

Regarding claim 21, Freedman further teaches the business method, wherein the printing pictures comprises an output image (work order, fig. 2b) that has output image data received from the customer, wherein the business method further comprises storing the image data (memory, fig. 1a), and wherein said producing reads out the image data after said identification information is input as said production order.

Regarding claim 22, Mandler further teaches the business method as claimed in claim 20, further comprising: receiving said customer identification information that identifies said information relating to the customer, and wherein said producing starts producing the product by an input of said order information at said receiving if said risk ratio calculated by said calculating is belong a predetermined value (risk value, col. 12).

Regarding claim 23, Mandler further reaches the business method, wherein said information relating to the customer comprises a history information (history transaction, col. 21, lines 28-30) relating to a purchase history of the product made by the customer, and wherein said calculating calculates said credibility based on said history information (col. 4, lines 63-65) of the customer.

Regarding claim 24: Claim 24 recites limitations that are similar and in the same scope of invention as to those in claim 36 except computer readable memory for storing computer programs. All computers/printers have some type of computer readable medium (i.e. server, fig. 2) for storing computer programs, hence claims 24 would be rejected using the same rationale as in claim 36.

Regarding claim 25, Freedman further teaches the product production system, wherein said production unit temporary stops (it is well known to halt production if customer who ordered the prints are at high of default and/or not paying) producing the product designated in said order information according to said alert information.

Regarding claims 26-34, Freedman further teaches the product production system, wherein said production unit resumes producing the product designated in said order information after said second terminal inputs said authenticated order information (it would be obvious to resumes producing the products for customer with higher credibility and trustworthy, in other words, resumes production if customer can establishes higher credibility by paying overdue payments).

Regarding claim 35, it recite limitations that are similar and in the same scope of invention as to those in claim 36 above; therefore, claim 35 is rejected for the same rejection rationale/basis as described in claim 36.

Regarding claims 37-38, it recite limitations that are similar and in the same scope of invention as to those in claim 36 above; therefore, claim 37-38 are rejected for the same rejection rationale/basis as described in claim 36.

Art Unit: 2625

Response to Arguments

Applicant's arguments with respect to independent claims 17, 19, 20, 24, 35-38 have been considered but are moot in view of the new ground(s) of rejection via different interpretations of previously cited prior arts. In addition, argued subject matters were not previously cited in any of the independent claims.

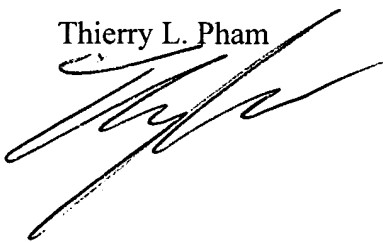
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thierry L. Pham



DOUGLAS Q. TRAN
PRIMARY EXAMINER

